

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 14-00306 WHA

v.

LUKE D. BRUGNARA,

Defendant.

**TENTATIVE ORDER RE
FURLOUGH PROCEDURES FOR
DEFENDANT LUKE BRUGNARA**

The Court and the Marshal have worked out a special furlough arrangement for defendant to visit with his CJA lawyer and the purpose of this order is to allow both sides, pre-trial services, and the Marshal to object and/or to seek modification before it goes into effect.

Under the proposal, the United States Marshals Office will facilitate the following furlough procedure for defendant Luke Brugnara, a current pre-trial detainee at Glenn Dyer jail. When defendant's lawyer makes an appointment, by 4 P.M. the previous day, the Marshals Service shall bring defendant to the Marshals lock-up facility in either Oakland (510-637-3666) or San Francisco (415-436-7660), as requested. The Court shall then order the defendant released from the custody of the United States Marshal, with clothing provided by the defendant's family, to the custody of defendant's lead lawyer for the sole purpose of meeting with the lawyer in the attorney's lounge. Defendant may not leave the federal building. Defendant is prohibited from using any phones or any device connected to the internet. The defense may use the visits only to prepare for trial and not for the purposes of bringing further

1 bail motions, motions to dismiss, or for the purpose of lining up alternative retained counsel, or
2 obtaining financing to do so (any such matters outside the scope of trial preparation may still be
3 discussed with defendant via the normal visitation avenues available at Glenn Dyer). His lead
4 lawyer must stay close with him at all times, except when the accused is in the restroom, and will
5 be responsible for making sure all furlough conditions are honored. When his lead lawyer uses
6 the restroom, the accused must remain in the conference room. When defendant is present, no
7 phone may be used. A second lawyer or other assistant may bring him lunch.

8 When the meeting is over, defendant's lawyer shall escort him back to the U.S. Marshals
9 lock-up facility no later than 3 P.M., where defendant will be remanded back into the custody of
10 the United States Marshal, searched, returned to jail clothing, and transported back to the Glenn
11 Dyer jail. The period of furlough can be from 9 A.M. to 3 P.M. on any business day by
12 reservation the previous day. If defendant violates any of these rules, or attempts to leave the
13 courthouse, his lawyer must notify the Marshal right away. Counsel would undertake these
14 responsibilities at their own risk. Protection for counsel from the accused's outbursts or
15 tantrums cannot be provided.

16 Before defendant can take advantage of this procedure, he and his counsel must sign a
17 copy of the order stating that defendant has read it, understands it, and will obey it. Any
18 comments on this proposed furlough procedure are due by **NOON ON DECEMBER 22, 2014**. Until
19 finally issued, this tentative order shall have no effect.

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21 **IT IS SO ORDERED.**

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23 Dated: December 19, 2014.

24 
25 WILLIAM ALSUP
26 UNITED STATES DISTRICT JUDGE
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